

**ENVIRONMENTAL PROTECTION AGENCY
TECHNICAL ENFORCEMENT SUPPORT
AT
HAZARDOUS WASTE SITES**

**TES IV
CONTRACT NO. 68-01-7351
WORK ASSIGNMENT NO. R05011**

LETTER REPORT

US EPA RECORDS CENTER REGION 5



434756

**FOR
REVERE COPPER AND BRASS SITE
DETROIT, MICHIGAN**

REMOVAL ACTION PRP SEARCH

U.S. EPA REGION V

**JACOBS ENGINEERING GROUP INC.
PROJECT NO. 05-B872-05**

APRIL 1989



JACOBS ENGINEERING GROUP INC.
ENVIRONMENTAL SYSTEMS DIVISION

222 S. RIVERSIDE PLAZA - SUITE 1870 CHICAGO, ILLINOIS 60606 (312) 648-0002 FAX (312) 648-0551

April 27, 1989

Mr. John Oaks
TES IV Primary Contact
U.S. Environmental Protection Agency
Region V
230 S. Dearborn
Chicago, IL 60604

RE: Contract No. 68-01-7351
Project No. 05-B872-05
Work Assignment No. C05011
Revere Copper and Brass
Detroit, Michigan
Removal Action PRP Search
CERCLA, Region V

Dear Mr. Oaks:

Please find submitted herewith four (4) copies of the Removal Action PRP Search letter report for the Revere Copper and Brass Site in Detroit, Michigan. The report is referenced to Attachment A, which contains the PRP search documents.

If you have any questions or require additional information, please feel free to contact me at (312) 648-0002.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dean Geers', written in dark ink.

Dean Geers
Regional Manager

Enclosures

cc: E. Howard



JACOBS ENGINEERING GROUP INC.

ENVIRONMENTAL SYSTEMS DIVISION

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**RE: Contract No. 68-01-7351
Project No. 05-B872-05
Work Assignment No. C05011
Revere Copper and Brass
Detroit, Michigan
Potentially Responsible Party Search
CERCLA, Region V**

Dear Mr. Oaks:

Under the Technical Enforcement Support (TES IV) contract, Jacobs Engineering Group Inc. (Jacobs) was tasked by the U.S. Environmental Protection Agency (EPA) through Work Assignment No. C05011 to conduct a title search and a cursory potentially responsible party search for the Revere Copper and Brass Inc. (RCB) site in Detroit, Michigan. PCB contamination at the RCB site prompted the EPA to implement an emergency response removal action in 1988. The purpose of this report is to identify those parties which may be held responsible for the PCB contamination under Section 9607 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA).

Background

The RCB property, located at 5851 West Jefferson Avenue, lies adjacent to the Detroit River in an urban residential and industrial section of Detroit. The RCB site is bordered on the north by West Jefferson Avenue, on the east by Misterski Public Lighting Facility, on the south by the Detroit River, and on the west by Historic Fort Wayne (Figure 1).

RCB and its subsidiary, Revere Copper Products, Inc. (RCP), owned the site property from 1928 to 1985, when the property was sold to the City of Detroit through its Community and Economic Development Department (CEDD). During its ownership, RCB operated a copper refabrication plant, processing scrap and virgin copper into "cakes" which were then shipped off site to produce copper-bearing consumer products.

An inspection of the facility in the early 1980s by the Detroit Fire Marshal revealed that RCB was not in compliance with EPA regulations for storage of PCB transformers and capacitors. Several of these units were found to be leaking on the ground. It is not known if these transformers and capacitors were part of the RCB plant or were left over from copper scrapping activities performed by RCB.

After the City of Detroit obtained ownership, scrap metal dealers began removing support beams and other miscellaneous metal without authorization. Because the property was not secured, the site also became a dumping ground for solid waste such as automobiles, mattresses, tires, and refuse. A Technical Assistance Team (TAT) site inspection in 1987 documented high PCB concentrations beneath a bank of capacitors mounted in an RCB equipment pit. Based on the release of PCBs at the facility, the TAT team planned a removal action in March 1988.

During that month, the TAT team, responding to a report of abandoned drums and transformer carcasses at the site, conducted an additional site inspection. They found spilled transformer oil, eleven drums of PCB oil, and two empty transformer carcasses that had been dumped at the site. They also noted scrap dealers loading transformer carcasses onto a pickup truck. Because of the danger of contamination migrating to the Detroit River and the possibility of direct contact exposure to fisherman who frequent the area, an emergency removal action was initiated.

Title Search

A title search was conducted by Philip R. Seaver Title Company of Bloomfield Hills, Michigan to research ownership of the RCB property back to January 1, 1920. For convenience, the RCB site has been divided into four parcels based on ownership histories (Figure 1). The following chain-of-ownership has been summarized in Table 1.

On December 14, 1928 the Michigan Copper and Brass Company conveyed ownership of parcels 1 and 3 to Republic Brass Corporation via a warranty deed (4-5). On November 21, 1929 the Republic Brass Corporation changed their name to Revere Copper and Brass Incorporated (174-175).

On December 5, 1950 the Detroit Lumber Company conveyed ownership of parcels 2 and 4 to Revere Copper and Brass Incorporated via a warranty deed (6-7). The Detroit Trust Company, as trustee for Thomas E. Reeder, and Elise L. Sheldon and Margaret Moreland apparently also had interests in parcel 4. These three parties subsequently quit claimed their interests to Revere Copper and Brass Incorporated in 1951 (see below).

On January 10, 1951 the Detroit Trust Company, under the Last Will and Testament of Thomas E. Reeder, deceased, conveyed ownership of his interest in parcel 4 to Revere Copper and Brass Incorporated via a quit claim deed (8-9). This deed was re-recorded on November 20, 1951 (10-11).

On January 31, 1951 Elise L. Sheldon conveyed ownership of her interest in parcel 4 to Revere Copper and Brass Incorporated via a quit claim deed (12-13).

On October 30, 1951 Margaret Moreland conveyed ownership of her interest in parcel 4 to Revere Copper and Brass Incorporated via a quit claim deed (14-15).

On August 26, 1980 Revere Copper and Brass Incorporated conveyed ownership of parcels 1, 2, 3 and 4 (entire site property) to Revere Copper Products, Inc. via a quit claim deed (16-17). Revere Copper Products, Inc. is a subsidiary company of Revere Copper and Brass Incorporated (138).

On December 20, 1982, Revere Copper Products, Inc. agreed to sell parcels 1, 2, 3, and 4 to the City of Detroit's Community and Economic Development Department (CEDD), in a land contract. This land contract was re-recorded on May 18, 1987 as part of an affidavit of lost deed (18-26).

On April 26, 1985 the City of Detroit, Buildings and Safety Engineering Department (BSED) filed a notice of *Lis Pendens* against Revere Cooper Property Inc. (sic). The notice indicated that the buildings on parcels 1, 2, 3 and 4 were unsafe and were to be demolished by the City. The costs of demolition were to be assessed to the property (27-28).

On December 10, 1985 Revere Copper Products, Inc. conveyed ownership of parcels 1, 2, 3 and 4 to the City of Detroit, CEDD via a warranty deed (29-30).

On January 23, 1987 the City of Detroit, CEDD filed an affidavit of lost deed indicating that the original above mentioned deed was lost on or after March 21, 1986. Copies of the land contract and deed were submitted as exhibits "B" and "C", respectively (31-35).

Michigan Central Railroad maintains the right-of-way for their railroad tracks which transect the property (25-26, see Figure 1). Consolidated Rail Corporation (Conrail) now owns the Michigan Central Railroad property (136).

Since the property is currently owned by the City of Detroit, it is tax-exempt (36-39). No mortgages, liens or other encumbrances were found against the property (1-3).

Site History

RCB was first incorporated on November 30, 1928 as a Maryland corporation conducting business in Michigan under the name General Brass Corporation (145-162). On December 5, 1928, the company changed its name to Republic Brass Corporation (163-166).

The western portion of the site property, parcels 1 and 3, were acquired by Republic Brass Corporation on December 14, 1928 (4-5). The buildings on the property were already present, left by the former owner, Michigan Copper and Brass Company (42). On October 29, 1929, the Republic Brass Corporation changed its name to Revere Copper and Brass Incorporated, the company's present name (174-176). The eastern portion of the site property, parcels 2 and 4, were acquired from the Detroit Lumber Company in 1950 and three other parties, the Detroit Trust Company, Elise L. Sheldon, and Margaret Moreland in 1951 (6-15).

During its 52 years of operation, from 1928 to 1980, the RCB plant fabricated scrap and virgin copper into "cakes" which were subsequently shipped off site for further processing into consumer copper-bearing products (42). No smelting was performed at the facility.

Apparently some of the scrap copper processed at RCB came from Carter Industrial, Inc. (Carter), a local metals scrapper (45). Carter scavenged copper from PCB transformers by breaking them open at their property on Humboldt Avenue. The copper was then sent to RCB as scrap. Carter was recently put on the National Priorities List (NPL) (54 FR 13301, March 31, 1989) because of the gross PCB contamination of their property, resulting from illegal PCB handling, storage and disposal practices. It is not known if RCB salvaged copper by gutting PCB transformers or capacitors at the RCB facility.

RCB transferred ownership of the entire site property, parcels 1, 2, 3 and 4, to Revere Copper Products (RCP) on September 30, 1980 (16-17). RCP is a subsidiary of RCB (138).

Sometime in 1981 or 1982 (50) during RCP's ownership, the Detroit Fire Marshall inspected the PCB storage facilities at the site and filed a report (53-54). The inspection revealed that RCP was not complying with EPA regulations regarding PCB storage. 104 capacitors, 13 transformers, and four 55 gallon drums containing PCB oil and waste products were found at the facility. Of these, three of the transformers and ten of the capacitors were leaking PCBs, one 55 gallon drum was open, and the others were not approved containers. The RCP manager indicated to the inspector that the leaking transformers had been sold to Taiwan (sic) so he did not feel responsible for the transformers in the casting shop (54).

It appears that the transformers and capacitors cited were part of the operating equipment at the plant. However, the Pesticide and Toxic Substances Branch of the Office of Environmental Service Division of the EPA, Region V did not have a listing of PCB transformers and capacitors at RCB or RCP, as required under the Toxic Substances Control Act (TSCA). They also did not have any PCB transformers/capacitors listed for Carter, or Misterski Public Lighting which borders the RCB facility on the east (139).

On December 20, 1982, the City of Detroit's Community and Economic Development Department (CEDD) entered into a land contract with the intention of buying the entire site property from RCP (18-26).

On March 22, 1983, the Michigan Department of Natural Resources (MDNR) inspected the site in response to an anonymous complaint of questionable PCB disposal practices filed with the U.S. EPA (52). During the inspection, Mr. Richard M. Anderson, Production Manager for RCP was interviewed. Mr. Anderson explained the following, as transcribed in the report (48-51):

"The company is no longer in business and the entire facility (property and buildings) has been sold to the City of Detroit. The only Revere personnel remaining on the site are Mr. Andersen and a few guards. All personnel will leave the site by March 31, 1983. In late 1981 to early 1982, all of the equipment in the buildings was sold to MacMillan Machinery Co., Inc., 125 Lindley Street, Bridgeport, Conn. 06608. The contact person at the Connecticut Offices is Mr. John Conroy, General Counsel. A second company, Continental Aluminum, 1610 Algonquin Street, Detroit, Michigan 48215, owned by Mr. Ed Strobel, purchased all of the copper in the plant as a "package" from the MacMillan Company. On March 18, 1983, Mr. Strobel did remove, intact (not drained), eight (8) PCB transformers from the site. Mr. Strobel's intentions were to dispose of the transformers minus the copper. Mr. Andersen stated that to the best of his knowledge, during the time that the transformers had belonged to Revere, they had never been tested for PCB levels. In addition, Mr. Andersen's statements were unclear as to the information

listed on the nameplates. All of the transformers removed from the buildings, by Mr. Strobel, were marked with PCB labels, however. There were thirty-six (36) non-PCB transformers that still remained on the site. Mr. Andersen was not entirely familiar with any records that the company (Revere) *may* have maintained regarding PCBs at the plant and their final disposition. He did inform the writer that any and all records and files that had been housed in the Detroit Offices are now being kept at the General Offices of Revere Copper and Brass, Inc., Rome, New York. The individual in New York to contact regarding any of the Detroit plant's records is Mr. Malcolm Bingham."

The 1983 MDNR inspection determined that no PCB transformers remained on the property (50). It is likely that the eight (8) transformers removed from the property by Mr. Strobel were the units from the casting shop which were supposedly sold to Taiwan. Remaining on the property were approximately 100 PCB capacitors in one cabinet in the Shape Mill Building and several capacitors in the transformer room of the Casting Building. These capacitors were disconnected and in storage, and intended for reuse by the MacMillan Machinery Company (50).

Following the inspection in a telephone conversation with the MDNR, Mr. Strobel said that the transformers he removed from the RCP property were sent for disposal, and agreed to send a copy of the manifest that was filed (51). MDNR has no record of receiving a copy of this manifest, however.

On April 26, 1985 a notice of *Lis Pendens* was filed by the City of Detroit stating that RCP was to be assess the costs of demolition of buildings on the site which were considered unsafe (27-28). By December 10, 1985, the land contract from 1982 had been satisfied and the entire site property was sold by RCP to the City of Detroit (29-30).

Because of public concerns that the site was potentially contaminated with PCBs and asbestos, the U.S. EPA tasked the TAT team to perform a site assessment, which was conducted on September 17, 1987 (55-86). The inspection revealed that the unrestricted access to the site had led to dumping of solid wastes such as automobiles, mattresses, and other refuse which were scattered over the property (61). The midsection of the main building on the western edge of the property had collapsed, and demolition debris was found scattered adjacent to it and to the east of it. During their inspection, the TAT team documented a metal scrapper inside the building removing the metal infrastructure with a cutting torch. Several sport fisherman were also observed on the site's waterfront (64).

Several potentially contaminated areas were noted by the TAT team. Inside the building were "equipment pits" which contained water, oil, and various solid waste materials. Areas of suspected asbestos pipe wrapping were also identified (64).

The TAT team returned to the site on November 5, 1987 to collect samples from equipment pits inside the building. A block of approximately 12 capacitors was found mounted on the wall of one of the pits and one punctured capacitor was located on the floor above the pit. A soil sample collect from the area beneath the punctured capacitor had an extremely high PCB (Arochlor 1242) concentration of 160,000 ppm (64). These capacitors may have been part of the lot that was reportedly sold by RCP to MacMillan Machinery Company (50). The TAT report indicated that it is highly probable that individuals salvaging copper from the inside of these capacitors were exposed to the PCB dielectric fluid (67).

The TAT report recommended that the U.S. EPA not undertake a removal action at that time. Rather, the PCB contamination problem should be referred to the current owner, City of Detroit CEDD, which should be held responsible for removal of the capacitors and decontaminating the area (67).

However, in March 1988, the TAT team prepared and submitted to the U.S. EPA a Removal Action Plan for the site. The plan outline procedures and costs involved in removing the capacitors found at the site in November 1987 and remediating the site (87-101).

On March 15, 1988, the U.S. EPA tasked the TAT team to respond to a report of abandoned drums and transformers at the site. Arriving at the site that afternoon, TAT documented three scrap dealers loading two transformer carcasses onto a pickup truck. The on-scene coordinators informed the scrappers that they could not remove the transformer carcasses from the site (102). Unfortunately, the names of the scrappers were not documented.

The TAT team found eleven drums full of PCB oil, and transformer oil spilled on the ground, in addition to the two empty transformer carcasses (102). The contaminated wastes were dumped on the southeast side of the property at the end of an access road leading to the Detroit River (112). Subsequent analyses of the spilled transformer oil indicated total PCB levels of up to 190,000 ppm (103).

On March 17, 1988, the City of Detroit was notified by the U.S. EPA that the PCB contamination at the site was an immediate threat to the public and gave the City the option to remedy the problem if it could be done in a timely manner. The notification was telephoned to the Corporation Counsel's Office of the City Detroit. A transcript of the notification was prepared by Mary A. Gade of the U.S. EPA and sent certified mail to Don Pailen, Corporation Counsel, City of Detroit (127-129).

Due to the inability of the City of Detroit to respond to this matter quickly, the U.S. EPA initiated an emergency removal action on March 18, 1988 (104-126). The emergency removal action involved the disposal and/or incineration of the drums, two transformers, PCB oil and contaminated soil resulting from the illegal dumping of these units (106). In addition, 45 capacitors containing PCB oil were removed from the equipment pits of the building and disposed of (115). These capacitors are the same that were found during the November 1988 TAT sampling. The removal action was completed on April 27, 1988.

Potentially Responsible Parties

City of Detroit	Owner
Community and Economic Development Department	
150 Michigan Avenue	
Detroit, Michigan 48226	
(313) 224-2560	

The City of Detroit acquired the property from RCP in 1985 and is the current owner (29). Unrestricted access to the property during the City's ownership promoted illegal dumping of PCB transformers and copper scavenging of PCB capacitors (102, 67).

Revere Copper Products, Inc.
P.O. Box 300
Rome, New York 13440
(315) 338-2022

Owner/Operator

RCP is a subsidiary of RCB and obtained ownership of the property from RCB in 1980 (138, 16). During RCP's ownership of the property, an inspection of PCB storage areas revealed that transformers and capacitors were leaking PCBs on the ground in violation of EPA's PCB storage regulations (54). RCP reportedly sold all of their PCB transformers and capacitors to MacMillan Machinery Co. around late 1981 to early 1982 (50).

Revere Copper and Brass Inc.
P.O. Box 10327
High Ridge Park
Stamford, Connecticut 06904
(203) 358-3500

Owner/Operator

Registered Agent (137):

Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, Delaware 19801
(302) 658-7581

Parent Company (135):

Ocwen Financial Group
515 North Flagler Drive
North Bridge Tower I
Suite 600
West Palm Beach, Florida 33401
(407) 832-2221

RCB was the owner and operator of the facility from 1928 through 1980, when the property was relinquished to its subsidiary, RCP (4, 174, 16). RCB reportedly obtained scrap copper from Carter Industrials (45). It is likely that Carter's scrap copper was contaminated with PCBs when shipped to RCB. RCB's total assets are listed as \$274,000,000 with a net worth of \$82,000,000 (138). A secretary of Revere Ware in Clinton, Illinois indicated that Ocwen Financial Group is the parent company of RCB and that all inquires to RCB should be addressed to Ocwen (135).

Detroit Lumber Company

Owner

Registered Agent (350):

James H. Loprete
1700 North Woodward
Suite A
P.O. Box 587
Bloomfield Hills, Michigan 48013
(313) 642-5770

Detroit Trust Co. as trustee
of Thomas E. Reeder's estate
(no listing found)

Elise L. Sheldon
(no listing found)

Margaret Moreland
(no listing found)

Detroit Lumber Company transferred ownership of the eastern portion of the site property to RCB in 1950 (6). The Detroit Trust Co., as trustee of Thomas E. Reeder's estate, Elise L. Sheldon, and Margaret Moreland apparently had an interest in Detroit Lumber Company. All three parties quit claim their interests in the Detroit Lumber Company property to RCB in 1951 (8, 12, 14).

Michigan Copper and Brass Company
5851 West Jefferson Avenue
Detroit, Michigan

Owner

Michigan Copper and Brass Company sold the western portion of the site property to RCB in 1928 (4). All the buildings on the property were included in this transaction (42). Michigan Copper and Brass Company dissolved as a corporation in Michigan on June 29, 1929 (351).

Michigan Central Railroad

Owner

Present Owner (136):

Consolidated Rail Corporation
(Conrail)
6 Penn Center Plaza
Philadelphia, Pennsylvania 19103
(215) 596-2000

Michigan Central Railroad maintains their right-of-ways, three railroad sidings, on the RCB property (25, 39). Michigan Central Railroad reportedly merged to New York Central, which emerged to Penn Central, which merged to Consolidated Rail Corporation, which now owns the tracks (136).

MacMillan Machinery Company, Inc.
125 Lindley Street
Bridgeport, Connecticut 06608
(203) 367-5301

Generator

MacMillan Machinery Company reportedly bought all of the equipment in the plant's buildings from RCP in 1981 or 1982 (50). The equipment cited includes approximately 100 PCB capacitors, eight PCB transformers, and thirty six non-PCB transformers. MacMillan sold the "copper" in the plant to Continental Aluminum. The "copper" apparently included only the transformers and not the capacitors which were left at the site when the City of Detroit obtained ownership (64, 106).

Continental Aluminum
1610 Algonquin Street
Detroit, Michigan 48215
(313) 823-5800

Generator

Continental Aluminum reportedly bought all of the "copper" in the plant as a "package" from MacMillan Machinery Company (50). In 1983, Mr. Strobel, president of Continental, removed eight PCB transformers from the site to salvage the copper inside. Thirty six non-PCB transformers and approximately 100 PCB capacitors were left on the site (50). The 1987 MDNR inspection noted that only PCB capacitors were found at the site. All of the transformers had apparently been removed (64, 106).

Carter Industrials, Inc.
4690 Humboldt Avenue
Detroit, Michigan 48208
(no telephone number listed)

Generator

Carter Industrials reportedly supplied RCB with scrap copper to be used at the RCB facility to fabricate copper cakes (45). Carter obtained their scrap copper by disassembling PCB transformers and capacitors. It is very likely that scrap copper sent to RCB was contaminated with PCBs. The Carter Industrials property was recently included on the NPL for its gross PCB contamination.

If you have any questions or require additional information, please feel free to contact me at (312) 648-0002.

Sincerely,

A handwritten signature in black ink, appearing to read 'Louis Ehrhard', with a large, stylized flourish extending to the right.

Louis Ehrhard
Geochemist

Enclosures

cc: E. Howard

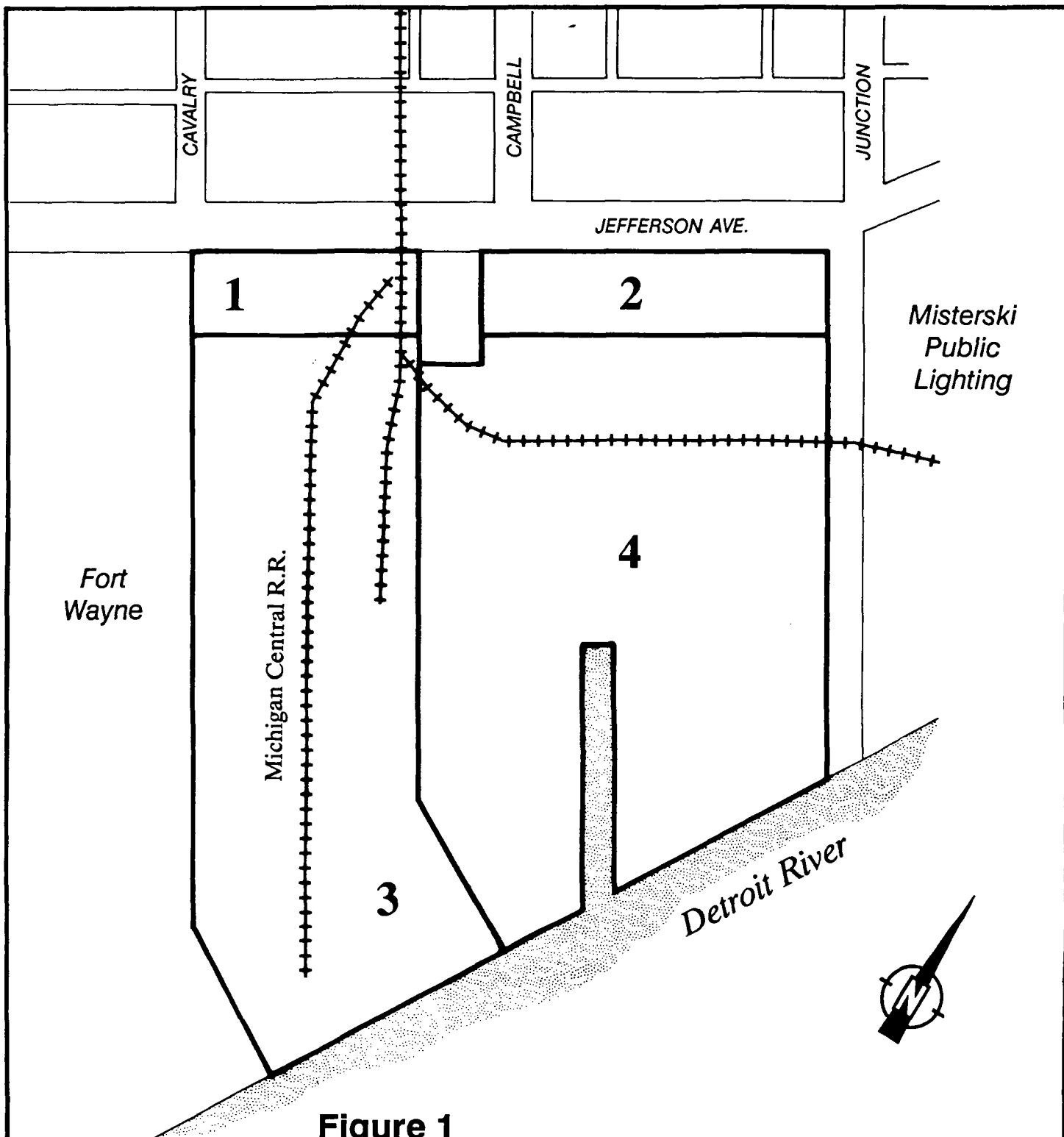


Figure 1
Revere Copper & Brass Site
Detroit, Michigan



Prepared by Jacobs Engineering Group Inc.
Environmental Systems Division, Chicago, 4/10/89

Drawn	DS
Checked	LE

TABLE 1
OWNERSHIP SUMMARY
REVERE COPPER AND BRASS SITE
DETROIT, MICHIGAN

Grantor	Grantee	Parcels	Type	Date	Recorded	Liber	Page	Ref.
Michigan Copper and Brass Co.	Republic Brass Corporation	1 and 3	Warranty Deed	12/14/28	12/21/28	3043	336	4-5
Detroit Lumber Co.	Revere Copper and Brass Inc.	2 and 4	Warranty Deed	12/05/50	12/06/50	10719	197	6-7
Detroit Trust Co., (Thomas E. Reeder, deceased)	Revere Copper and Brass Inc.	4	Quit Claim Deed	01/10/51 re-recorded	11/08/51 11/20/51	11150 11162	76 257	8-9 10-11
Elise L. Sheldon	Revere Copper and Brass Inc.	4	Quit Claim Deed	01/31/51	11/08/51	11150	77	12-13
Margaret Moreland	Revere Copper and Brass Inc.	4	Quit Claim Deed	10/30/51	11/08/51	11150	74	14-15
Revere Copper and Brass Inc.	Revere Copper Products, Inc.	1,2,3,4	Quit Claim Deed	08/26/80	09/03/80	20944	288	16-17
Revere Copper Products, Inc.	City of Detroit, CEDD	1,2,3,4	Land Contract	12/20/82 re-recorded	12/21/82 05/18/87	21550 23247	536 676	18-26
City of Detroit, BSED	Rever Cooper Property Inc.(sic)	1,2,3,4	Lis Pendens	04/26/85	6/05/85	22391	873	27-28
Revere Copper Products, Inc.	City of Detroit, CEDD	1,2,3,4	Warranty Deed	12/10/85	05/18/87	23247	685	29-30
Revere Copper Products, Inc.	City of Detroit CEDD	1,2,3,4	Affidavit of Lost Deed	01/23/87	05/18/87	23247	671	31-35